

COMBINED DECLARATION AND POWER OF ATTORNEY

(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL, CONTINUATION OR CIP)

As a below named inventor, I hereby declare that:

TYPE OF DECLARATION

This declaration is of the following type: (check one applicable item below)
☐ original ☐ design ☑ supplemental
NOTE: If the declaration is for an International Application being filed as a divisional, continuation or continuation-in-part application do <u>not</u> check next item; check appropriate one of last three item
national stage of PCT
NOTE: If one of the following 3 items apply then complete and also attach ADDED PAGES FOR DIVISIONAL, CONTINUATION OR CIP.
☐ divisional☐ continuation☑ continuation-in-part (CIP)

INVENTORSHIP IDENTIFICATION

WARNING: If the inventors are each not the inventors of all the claims an explanation of the facts, including the ownership of all the claims at the time the last claimed invention was made, should be submitted.

My residence, post office address and citizenship are as stated below next to my name, I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

VESSEL SEALING SYSTEM

SPECIFICATION IDENTIFICATION

the sp	ecification of which: <i>(complete (a), (b) or (c))</i>			
(a) 🗌	is attached hereto.			
(b) 🛚	was filed on July 24, 2003 as Serial No. 10/626,390 or Express Mail No., as Serial No. not yet known and was amended on (if applicable).			
NOTE:	Amendments filed after the original papers are deposited with the PTO which contain new matter are not accorded a filing date by being referred to in the declaration. Accordingly, the amendments involved are those filed with the application papers or, in the case of a supplemental declaration, are those amendments claiming matter not encompassed in the original statement of invention or claims. See 37 C.F.R. 1.67.			
(c) [was described and claimed in PCT International Application No filed on and as amended under PCT Article 19 on (if any).			
	ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR			
	nereby state that I have reviewed and understand the contents of the above fied specification, including the claims, as amended by any amendment referred to s.			
I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. §1.56, and				
	in compliance with this duty there is attached an information disclosure statement in accordance with 37 C.F.R. §1.98.			
	PRIORITY CLAIM (35 U.S.C. §119(a)-(d))			

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

(complete (d) or (e))

(d) 🛛 no such applications have been filed.

NOTE:

35 U.S.C. §120.

such applications have been filed as follows. NOTE: Where item (c) is entered above and the International Application which designated the U.S. itself claimed priority check item (e), enter the details below and make the priority claim. A. PRIOR FOREIGN/PCT APPLICATION(S) FILED WITHIN 12 MONTHS				
(6 MONTHS FOR DESIGN) PRIOR TO THIS APPLICATION AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. §119(a)-(d)				
COUNTRY (OR INDICATE IF PCT)	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 35 U.S.C. 119	
			YES NO	
			YES NO	
	-		YES NO	
CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S) (35 U.S.C. §119(e))				
I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:				
PROVISIONAL APPLICATION NUMBER FILING DATE				
60/105	,417	10	0/23/1998	
ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION				

If the application filed more than 12 months from the filing date of this application

is a PCT filing forming the basis for this application entering the United States as (1) the national

CONTINUATION OR CIP APPLICATION for benefit of the prior U.S. or PCT application(s) under

stage, or (2) a continuation, divisional, or continuation-in-part, then also complete ADDED PAGES TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR DIVISIONAL,

POWER OF ATTORNEY

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

ALL ATTORNEYS AND REGISTERED PRACTITIONERS ASSOCIATED WITH THE UNITED STATES PATENT AND TRADEMARK OFFICE, CUSTOMER NO. 50855.

SEND CORRESPONDENCE TO

DIRECT TELEPHONE CALLS TO:

(Name and telephone number)

(303) 581-6831

Mark Farber, Esq.
UNITED STATES SURGICAL,
a Division of Tyco Healthcare Group LP
195 McDermott Road
North Haven, CT 06473

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

NOTE: Carefully indicate the family (or last) name as it should appear on the filing receipt and all other documents.

Full name of sole or first inventor F	Robert H. Wham
Inventor's signature	Date 8/14/07
Country of CitizenshipUŚ	Residence Boulder, CO USA
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Fost Office Address Too Tale Road, Bodider, C	00 00000 00.1
Full name of second joint inventor, if any	Steven P. Buysse
Inventor's signature Thus Physic	Date <u>8//4/07</u>
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Inventor's signature James N. Organia	uluk Date 8-14-07
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Full name of fourth joint inventor	
A de la Constant	Data
Inventor's signature	Date
	sidence
Post Office Address	ess

CHECK PROPER BOX(ES) FOR ANY OF THE FOLLOWING ADDED PAGE(S) WHICH FORM A PART OF THIS DECLARATION

	Signature for subsequent joint inventors. Number of pages added
	Signature by administrator(trix), executor(trix) or legal representative for deceased or incapacitated inventor. Number of pages added
	Signature for inventor who refuses to sign or cannot be reached by person authorized under 37 C.F.R. §1.47. Number of pages added ***
\boxtimes	Added pages to combined declaration and power of attorney for divisional, continuation, or continuation-in-part (CIP) application. Number of pages added ***
	Authorization of attorney(s) to accept and follow instructions from representative. ***
	If no further pages form a part of this Declaration then end this Declaration with this page and check the following item.
	☐This declaration ends with this page.

ADDED PAGE TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR DIVISIONAL, CONTINUATION OR CIP APPLICATION

(complete this part only if this is a divisional, continuation or CIP application)

CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S) UNDER 35 U.S.C. 120

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claim of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS
DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. 120:

U.S. APPLICATIONS			Status (Check One)		
U.S. APPLICATIONS		U.S. FILING DATE	Patented	Pending	Abandoned
1. 10/073,761		02/11/2002	х		
2. 09 /408,944		09/30/1999	x		
3. 0 /					
4. 0 / PCT APPLICATIO	NS DESIGNATI	NG THE U.S.			
PCT APPLICATION NO.	PCT FILING DATE	U.S. SERIAL NOS. ASSIGNED (if any)			
5.					
<u>6.</u> 7.				-	
8.					

35 U.S.C. 119 PRIORITY CLAIM, IF ANY, FOR ABOVE LISTED U.S./PCT APPLICATIONS

ABOVE APPLICATION NO.	DETAILS OF FOREIGN APPLICATION FROM WHICH PRIORITY CLAIMED UNDER 35 U.S.C. 119			
	Country Application No.	Date of filing (day, month, year)	Date of issue (day, month, year)	
1.				
2.				
3.				
4.				
5.				
6.				